
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

DIAMOND G RODEOS, INC, a Utah
Corporation; STEVE GILBERT, an
individual; and CYNDI GILBERT, an
individual,

Plaintiff,

v.

BRIAN JAMES GIFFORD, an individual;
and DOES 1-10,

Defendant.

**MEMORANDUM DECISION AND
ORDER GRANTING MOTION FOR
LEAVE TO FILE**

Case No. 4:22-cv-00089-DN-PK

District Judge David Nuffer

Defendant Brian Gifford filed his Motion for Leave to File Pleadings as a Sui Juris Party and Certification Pursuant to Docket Entry 109 (“Motion”).¹ Gifford files the Motion for permission to file a Motion to Stay Contempt Sanctions and Notice of Fraud Upon the Court (“Proposed Stay Motion”).² Plaintiffs were not required to file a response to the Motion.

Motion for Leave to File

On April 7, 2025, the Memorandum Decision and Order Denying Relief Sought in Various Filings (“Filing Restrictions Order”) placed restrictions on Gifford because of “Gifford’s pattern of filing improper, non-responsive, deficient, baseless, irrelevant filings; his repeated ignoring of court orders; and his failures to follow the rules of procedure.”³ Under the Filing

¹ Motion for Leave to File Pleadings as a Sui Juris Party and Certification Pursuant to Docket Entry 109 (“Motion”), [docket no. 146](#), filed July 30, 2025.

² Motion to Stay Contempt Sanctions and Notice of Fraud Upon the Court, [docket no. 146-1](#), filed July 30, 2025

³ Memorandum Decision and Order Denying Relief Sought in Various Filings (“Filing Restrictions Order”), [docket 109](#), filed April 7, 2025.

Restrictions Order, to file a motion Gifford must: (1) pay the full filing fee, if applicable; and (2) file a motion for leave to file pro se pleading or paper.⁴ The motion for leave must include: the proposed pleading or paper; a copy of the Filing Restrictions Order; and a notarized affidavit in proper legal form, that certifies that, “to the best of Mr. Gifford’s knowledge, that his allegations are not frivolous or made in bad faith.”⁵ Gifford’s Motion complies with all the restrictions and is therefore ripe for review.

Gifford’s Proposed Stay Motion lacks the information required by [DUCivR10-1\(a\)\(6\)](#). He must comply with that rule and then, upon presenting the Stay Motion in proper form, it may be filed by the Clerk of Court. If it does not comply, it shall not be filed, but shall be lodged with the reason for rejection noted.

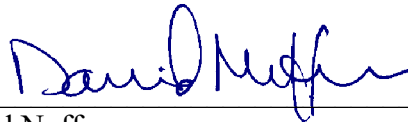
Plaintiffs shall not be required to respond to the Stay Motion unless ordered to do so.

ORDER

IT IS HEREBY ORDERED that the Motion⁶ is GRANTED.

Signed July 31, 2025.

BY THE COURT

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer
United States District Judge

⁴ Motion at 3.

⁵ *Id.*

⁶ Motion for Leave to File Pleadings as a Sui Juris Party and Certification Pursuant to Docket Entry 109 (“Motion”), [docket no. 146](#), filed July 30, 2025.